

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 1-5 have been amended and are again presented for the Examiner's consideration in view of the following comments. Applicant notes with appreciation the Examiner's indication that claims 1-5 recite patentable subject matter.

In the Official Action, the Examiner objected to the drawings as failing to include reference number 53 as mentioned in the detailed description. Applicant notes that a Request to Amend Drawings was filed with the present application, and that the Request to Amend Drawings included a proposed revision to Figure 6 to relabel one of connection terminals "51" with the number "53". Applicant submits that this amendment overcomes the Examiner's objection to the drawings. Applicant submits herewith new formal drawings incorporating the proposed drawing corrections.

Claims 1-5 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. More particularly, the Examiner has contended that there is insufficient antecedent basis for the limitation "said battery loading device" in lines 15-16 of claim 1. In that regard, the Examiner suggested that that wording be replaced with the wording --a battery loading device--. In addition, the Examiner has contended that the recitation of "connection terminal" in line 4 of claim 1 is inconsistent with the remaining limitations of the claim, therefore rendering the claim indefinite. The Examiner offered that replacing "connection terminal" in line 4 of claim 1 with --power supply means-- would obviate the indefiniteness of the claim.

Applicant has made the amendments to claim 1 suggested by the Examiner. In addition, applicant has amended each of

claims 1-5 in order to further clarify the claims. Applicant submits that none of these additional amendments are for a purpose related to patentability, particularly in light of the Examiner's indication that claims 1-5 recite allowable subject matter. No new matter is added to the application by these amendments.

Claims 1-5 have been rejected on the basis of obviousness-type double patenting over claims 1-5 of U.S. Patent No. 6,521,370 B1. Regardless of whether applicant agrees or disagrees with the Examiner's position in this regard, for the purpose of expediting the allowance of the claims in the present application, applicant has prepared the enclosed terminal disclaimer with respect to the present claims vis-à-vis the cited claims of the '370 patent. Applicant submits that submission of the terminal disclaimer overcomes the double patenting rejection, such that additional detailed discussion of this rejection is no longer warranted or necessary.

Finally, the Examiner has requested a copy of EP 0 588 728 A1, EP 0 676 819 A2 and EP 0 836 311 A2, all of which were cited in the Information Disclosure Statement filed by applicant on November 26, 2001, so that the Examiner is able to fully consider these references. In response to the Examiner's request, applicant encloses herewith a copy of each of the foregoing references for the Examiner's consideration.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: November 26, 2003

Respectfully submitted,

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